



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

TUESDAY, MAY 24, 2005

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR CHARLES D. WESTON
VICE-CHAIR RALPH LYLE
COMMISSIONER H. GENO ACEVEDO
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER SUSAN KOEPP-BAKER
COMMISSIONER JOSEPH H. MUELLER

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes*

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**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: May 10, 2005

CONSENT CALENDAR:

ITEMS 1 – 3 The Consent Calendar may be acted upon with one motion, a second and the vote by each Commissioner. Any member of the Commission or the public may request to have an item pulled from the Consent Calendar to be acted upon individually.

- 1) **DEVELOPMENT APPROVAL AMENDMENT, DAA-98-11: SPRING-MALONE/SPEER:** A request to amend the development agreement for Spring Manor Development located on the south side of Spring Ave. The requested amendment is for a one-year extension of time for a custom lot. The subject site is located at 16630 Eagle Island Ct. in the R-1 12,000/RPD zoning district. (APN 767-53-012)

Recommendation: Approve Resolution No. 05-24.

- 2) **DEVELOPMENT APPROVAL AMENDMENT, DAA 03-15: E. CENTRAL-WARMINGTON HOMES:** A request to amend the development agreement for the Morgan Lane subdivision located on the south side of E. Central and north of E. Main Ave. in the R-1 7,000/RPD zoning district. The proposed request is for a six month extension of time for the 12 building allocations granted for FY 2005-06.

Recommendation: Approve Resolution No. 05-25.

- 3) **DEVELOPMENT APPROVAL AMENDMENT, DAA 04-04: HILL RD.-GERA:** A request to amend the development agreement for a nine lot single family development located on the west side of Hill Rd. between Jean Ct. and Pear Dr. in the RE 40,000/RPD zoning district. The proposed amendment is for a one year extension of time for the 6 building allocations granted for FY 2005-06. (APN 728-08-014 & 015)

Recommendation: Approve Resolution No. 05-30.

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NEW BUSINESS:

- 4) **SUBDIVISION, SD-05-02/DEVELOPMENT AGREEMENT, DA-05-02: COCHRANE-LUPINE:** A request for approval of a development agreement and the subdivision of a 16.83-acre portion of a 61-acre site for the construction of 36 dwelling units. The 36 units represent the final three phases of an overall 92-unit single-family development. The project site is located at the northeast corner of Cochrane Rd and Peet Rd in an R-1(12,000)/RPD Zoning District (APN 728-34-022).

Recommendation: Open Public Hearing/Adopt Resolution Nos. 05-26(subdivision), and 05-27 (development agreement), with recommendation to forward the development agreement to the City Council for approval.

- 5) **ZONING AMENDMENT, ZAA-01-20: TENNANT-SAFEWAY:** A request to amend the precise development plan for the Tennant Station Shopping Center located on the south east corner of the intersection of Monterey Rd. and Tennant Ave. in the Planned Unit Development zoning district. The proposed amendment request is to allow the existing theater to increase in size from 23,009 sq. ft. to 31,595 sq. ft. (APN 817-06-005)

Recommendation: Open Public Hearing/Adopt Resolution No. 05-28, with recommendation to forward the request to the City Council for approval.

- 6) **USE PERMIT AMENDMENT, UPA-87-13: MONTEREY-WEST:** A request to amend the Conditional Use Permit to expand storage of boats and recreational vehicles and clarify hours part sales and repair may occur on a 2.71-acre site located at 19500 Monterey Rd. in the CS (Service Commercial) zoning district. (APN 725-01-017)

Recommendation: Open Public Hearing/Adopt Resolution No. 05-29.

OTHER BUSINESS:

- 7) **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) SUBCOMMITTEE RECOMMENDATIONS:**

Recommendation: 1) Review Subcommittee's recommended changes; and
2) Direct staff to prepare draft ordinance for adoption by City Council.

TENTATIVE AGENDA ITEMS FOR THE JUNE 14, 2005 MEETING:

- **ZAA-01-05: Monterey-South Valley Developers**

ANNOUNCEMENTS:

CITY COUNCIL REPORTS

ADJOURNMENT

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SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.